

ALEX G. TSE (CABN 152348)
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	Case No. CR 15-0533 RS
)	
Plaintiff,)	STIPULATION AND PROPOSED ORDER
v.)	EXCLUDING TIME FROM AUGUST 14,
)	2018, THROUGH OCTOBER 23, 2018
CARY S. COLLINS,)	
)	
Defendant.)	
)	
)	

The United States of America, by and through Assistant United States Attorney Brian R. Faerstein, and defendant Cary S. Collins, by and through his attorney Elizabeth Falk, hereby stipulate that, with the Court's approval, the time from August 14, 2018, through October 23, 2018, is excludable under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), for effective preparation of counsel.

The parties appeared before this Court on August 14, 2018, for sentencing as to two counts to which defendant pleaded guilty in the nine-count indictment in the above-captioned case. Pursuant to the Court's Order dated October 26, 2016, one of the counts in the indictment (Count Nine) relating to the alleged preparation of a false tax return was severed from the other eight counts in the indictment.

1 Dkt. No. 36. Count Nine remains pending. The government is currently considering how it intends to
2 proceed on this pending count in light of the sentencing proceeding held on August 14, 2018, and is
3 engaged in internal discussions to that end. The government requires this time for effective preparation
4 in connection with the prosecution of this case. Accordingly, the parties agree that it would be
5 appropriate that time be excluded under the Speedy Trial Act from August 14, 2018, through October
6 23, 2018, for effective preparation of counsel, under 18 U.S.C. § 3161(h)(7)(B)(iv).

7 The parties stipulate that the failure to exclude time would deny counsel the reasonable time
8 necessary for effective preparation, taking into account the exercise of due diligence under 18 U.S.C.
9 § 3161(h)(7)(B)(iv). The parties further stipulate that the requested exclusion of time, from August 14,
10 2018, through October 23, 2018, is in the interests of justice and outweighs the best interest of the public
11 and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

12 IT IS SO STIPULATED.

13 Dated: August 17, 2018

ALEX G. TSE

United States Attorney

/s/

BRIAN R. FAERSTEIN

Assistant United States Attorney

17 Dated: August 17, 2018

/s/

ELIZABETH FALK

Attorney for CARY S. COLLINS

20
21 Attestation of Filer

22 In addition to myself, the other signatory to this document is Elizabeth Falk. I hereby attest that I
23 have his permission to enter a conformed signature on his behalf and to file this document.

24 Dated: August 17, 2018

/s/

BRIAN R. FAERSTEIN


Assistant United States Attorney

~~PROPOSED~~ ORDER

Based upon the representation of counsel and for good cause shown, the Court finds that failing to exclude the time from August 14, 2018, through October 23, 2018, would unreasonably deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time from August 14, 2018, through October 23, 2018, from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial.

Therefore, IT IS HEREBY ORDERED that the time from August 14, 2018, through October 23, 2018, shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

DATED: 8/17/18


HONORABLE RICHARD SEEBORG
United States District Judge